



02-02-05

PATENT
674579-2001

8/0 AC
LAW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Buchter-Larsen *et al.*
Serial No. : 09/423,126
For : A PROCESS FOR PREPARING AN ANTI-OXIDANT
Filing Date : November 5, 1999
Group Art Unit : 1638
Examiner : R. Kallis
Notice of Allowance : March 24, 2004
Confirmation No. : 6366

745 Fifth Avenue
New York, NY 10151

EXPRESS MAIL

Mailing Label Number: EV 375020568 US

Date of Deposit: January 31, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: **Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Adam Ahmed
(Typed or printed name of person mailing paper or fee)

A. Ahmed
(Signature of person mailing paper or fee)

PETITION TO REVIVE UNDER 37 CFR § 1.137

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Dear Sir:

Please consider this petition under 37 CFR § 1.137(b) to accept a late issue fee. A Notice of Allowance was mailed for this application on March 24, 2004. The issue fee and a check in the amount of \$995.00 in payment of the issue fee, publication fee and advance copies of the patent, were mailed via first class mail on June 24, 2004. However, the Certificate of Mailing or Transmission on the Issue Fee Transmittal was inadvertently left blank. Therefore, instead of receiving the June 24, 2004 mailing date of the issue fee, which would have been timely, the

issue fee was considered paid on the date it was received by the PTO, June 28, 2004, which was after the expiration of the statutory deadline. A Notice of Abandonment was mailed on December 2, 2004.

Applicants submit the following, as required by Section 1.137(b):

- (1) A copy of the Issue Fee Transmittal and accompanying check;
- (2) The petition fee of \$750.00 set forth in Section 1.17(m); and

(3) The undersigned hereby states that the entire delay in filing the issue fee from the due date of June 24, 2004 until the filing of this petition was unintentional. As stated above, the failure to complete the Certificate of Mailing or Transmission on the Issue Fee Transmittal was an inadvertent error on the part of clerical staff, and this error was unknown to Applicants and Applicants' representative prior to the receipt and processing of the December 2, 2004 Notice of Abandonment. In fact, the undersigned only became aware of the abandoned status of this application today.

- (4) No terminal disclaimer is required pursuant to Section 1.137(d).

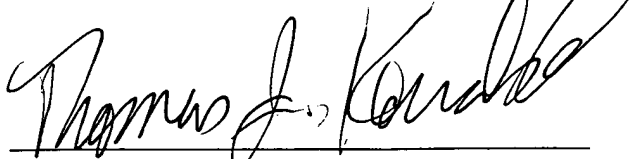
It is submitted that the requirements of Section 1.137(b) have been met, and that this is a grantable petition. Favorable consideration of this petition, acceptance of the issue fee paid on June 28, 2004 and issuance of this application as a patent are requested.

As the check mailed on June 24, 2004 for the issue fee was cashed by the PTO (copy of cancelled check enclosed), it is assumed that no further payment is required. However, the Commissioner is authorized to charge any fee occasioned by this paper or any other fee required to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:


Thomas J. Kowalski
Reg. No. 32,147
(212) 588-0800

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

20999 7590 03/24/2004

FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/423,126

11/05/1999

AKSEL BUCHTER-LARSEN

674509-2020 (FORMERLY) 6366

TITLE OF INVENTION: PROCESS FOR PREPARING AN ANTI-OXIDANT

674579-2001 (NEW No.)

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional

NO

\$1350 \$665.00

\$300

\$1650 \$965.00

06/24/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
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KALLIS, RUSSELL

1638

800-278000

+ 30.00 (ADVANCE COPIES)
\$995.00

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. FROMMER LAWRENCE & HAUG
2. THOMAS J. KOWALSKI
3. Anne-Marie Yvon

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

BioLogic A/S

Frederiksberg, Denmark

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

☒ Issue Fee

☒ A check in the amount of the fee(s) is enclosed.

☒ Publication Fee

☐ Payment by credit card. Form PTO-2038 is attached.

☒ Advance Order - # of Copies 10

☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0320 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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TRANSMIT THIS FORM WITH FEE(S)

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745 FIFTH AVENUE
NEW YORK, NY 10151

031874

6/24 2001

1-210428

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NEW YORK, NY 10043

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FROMMER LAWRENCE & HAUG LLP

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DETACH AND RETAIN THIS STATEMENT

FROMMER LAWRENCE & HAUG LLP

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT, PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

APPLICANT

SERIAL NO.

TITLE

BIOLOGIC LASER

091423 J26

FL & H DOCKET NO.

674579-2001

PROCESS FOR PREPARING AN ANTI-OXIDANT

☐ APPEAL BRIEF☐ APPEAL FEE☐ CERTIFICATE OF CORRECTION☐ DISCLAIMER☐ EXTENSION OF TIME☐ FEE FOR ADDED CLAIMS☐ FILING FEE☒ ISSUE FEE☐ MAINTENANCE FEE☐ MISSING PARTS☐ NOTICE OF OPPOSITION☒ (PLEASE CHARGE ANY ADDITIONAL FEES OR CREDIT OVER PAYMENT TO DEPOSIT ACCOUNT NO. 50-0320)☐ PETITION FEE☐ PETITION FOR CANCELLATION☐ PETITION TO REVIVE☐ RECORDING FEE☐ REQUEST FOR ORAL HEARING☐ SEC. 8 TM DECLARATION FEE☐ STATEMENT OF USE☐ TM RENEWAL

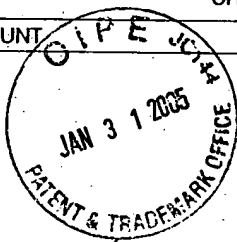
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ATTORNEY

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674579-2001

T. Rowland \$995.00

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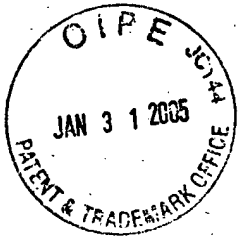
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674579-2001

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Date of Deposit: January 31, 2005

I hereby certify that this Petition to Revive Under 37 CFR §1.137, copy of Ck No.31874, Copy of Issue Fee Transmittal, copy of deposited Ck No. 31874 and Ck No. 34971 for \$750 are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on **January 31, 2005** and are addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Adam Ahmed

(Typed or printed name of person mailing paper or fee)

[Signature]

(Signature of person mailing paper or fee)